



March 3, 2011

State of Montana
2011 Legislature
Natural Resources Committee
1301 East 6th Ave.
Helena, MT 59601

Re: HB602

Dear Mr. Hendrick, Chair and Members of the Committee,

The Stillwater Conservation District is writing in support of HB602, except for the temporary prohibition and limit on rulemaking described in Section 3 of the bill. We wholeheartedly support additional study and synthesis of the issues relating to exempt wells but believe a November 10, 2010 Order and settlement agreement (see attached) should be honored in the bill.

Our position is based on the hard work and dedication of three ranchers in our district who we have sponsored through two rounds of 223 grant funding for a controlled groundwater area study near Absarokee. These ranchers feel so strongly about the role of exempt wells and water conservation in Montana that they joined a petition effort last year that culminated in the November 10th, 2010 Order requiring DNRC to conduct rulemaking to amend the administrative rule defining "combined appropriation." DNRC agreed to complete this rulemaking by February 10, 2012, fifteen months following the date of the Order.

It is our opinion that DNRC should continue the rulemaking process that is already underway. DNRC has the expertise, the data and the history on this issue. Realtors, builders, well drillers, ranchers and others can all participate equally in this process and the outcome will serve to inform and enrich the next legislative session with respect to this very important subject.

We urge you to include a provision for rulemaking in this bill.

Thank you.

Sincerely,

Dan Aadland
Stillwater Conservation District, Chairman

Cc: Walter McNutt, Appropriations Chair